

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

January 28, 2004

DIVISION ONE

B171118 Anthony Young (Not for Publication)
 v.
 Superior Court, Los Angeles County - Appellate Division
 (The People, r.p.i.)

The petition is denied.

Mallano, J.

We concur: Ortega, Acting P.J.
 Vogel (Miriam A.), J.

B158570 Robert Garcia, et al. (Certified for Publication)
 v.
 DirecTV, Inc., et al

The order of April 17, 2002, is reversed, and the cause is remanded to the trial court with directions to remand the matter to the arbitrator. The parties are to pay their own costs of appeal.

Vogel (Miriam A.), J.

I concur: Spencer, P.J.
I dissent: Ortega, J. (Opinion)

DIVISION ONE (Continued)

B162538 Jaisinghani (Not for Publication)
 v.
 American President Lines, Ltd., Inc.

We affirm the judgment. Jaisinghani is entitled to his costs on appeal.

Ortega, J.

We concur: Spencer, P.J.
 Mallano, J.

B161983 People (Not for Publication)
 v.
 Tinoco

The judgment is affirmed.

Mallano, J.

We concur: Ortega, Acting P.J.
 Vogel (Miriam A.), J.

B154095 Pilani (Not for Publication)
 v.
 Yalamanchili

The judgment (order of August 20, 2001) is affirmed. The parties shall bear their own costs on appeal.

Ortega, Acting P.J.

We concur: Vogel (Miriam A.), J.
 Mallano, J.

DIVISION TWO

B164975 Ozeran, et al. (Not for Publication)
 v.
 Johnston, et al.

The portion of the March 25, 2003 order that awarded sanctions in the amount of \$7,845.60 against defendants Roger Manlin, Louis Johnston and RAM is stricken and the sanctions imposed are vacated. In all other respects, the March 25, 2003 order is affirmed. Defendants are entitled to costs on appeal.

Boren, P.J.

We concur: Nott, J.
 Doi Todd, J.

B168946 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 George G.

The order under review is affirmed.

Boren, P.J.

We concur: Nott, J.
 Ashmann-Gerst, J.

B168301 Los Angeles County, D.C.F.S. (Not for Publication)
 v.
 Elena V.

The order under review is affirmed.

Boren, P.J.

We concur: Doi Todd, J.
 Ashmann-Gerst, J.

DIVISION TWO (Continued)

B169319 Maria R. (Not for Publication)

v.

Superior Court, Los Angeles County

Petitions for writ of mandate are denied.

Boren, P.J.

We concur: Nott, J.

Doi Todd, J.

B160530 People (Certified for Publication)

v.

Ryan Willis

The judgment is affirmed.

Boren, P.J.

We concur: Doi Todd, J.

Ashmann-Gerst, J.

DIVISION THREE

B168124 People (Not for Publication)

v.

Butler

The clerk of the superior court is ordered to prepare and forward to the Department of Corrections an amended abstract of judgment which deletes reference to the prior prison term enhancement under Penal Code section 667.5, subdivision (b), and reflects the term imposed for attempted murder of life with the possibility of parole with a minimum term of 14 years before parole eligibility, plus 25 years to life in state prison for the personal discharge of a firearm causing great bodily injury under Penal Code section 12022.53, subdivision (d), and five years for the prior serious or violent felony conviction under Penal Code section 667, subdivision (a)(1). As so modified, the judgment is affirmed.

Klein, P.J.

We concur: Croskey, J.

Kitching, J.

DIVISION FOUR

B163957 People (Not for Publication)
v.
Paynter

The judgment is affirmed.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B166166 People (Not for Publication)
v.
Hernandez

The sentence is reversed, and the matter is remanded for resentencing with directions to: (1) vacate the motor vehicle/firearm discharge enhancement (§ 12022.5, subd. (b)(1)) on counts 1 through 5 and strike the concomitant finding on counts 1 and 3 through 5; (2) vacate the three-year GBI enhancement (§ 12022.7, subd. (a)) and strike the concomitant GBI finding on counts 3 through 5; (3) vacate the 20-year intentional firearm discharge enhancement (§ 12022.53, subd. (c)) and substitute therefore the 10-year firearm use enhancement (§ 12022.53, subd. (b)) on counts 6 and 7; and (4) strike the 10-year gang enhancement (§ 186.22, subd.(b)(1)(C)) on counts 3 through 7 and substitute therefore the 15-year minimum term parole eligibility requirement (§ 186.22, subd. (b)(5)). In all other respects, the judgment is affirmed

Curry, J.

We concur: Vogel (C.S.), P.J.
Epstein, J.

DIVISION FOUR (Continued)

B158817 Slaney (Certified for Publication)
v.
Ranger Insurance Company, et al.

The order denying the SLAPP motion is affirmed. Respondent's request for sanctions is denied, but costs are awarded to respondent.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

B160608 Alfano, et al. (Not for Publication)
v.
Giordano, et al.

The orders of the court granting the motions to strike and awarding attorney fees to respondents are affirmed.

Curry, J.

We concur: Epstein, Acting P.J.
Hastings, J.

B163356 Craney (Not for Publication)
v.
County of Los Angeles

The judgment is affirmed. Respondent(s) to recover costs.

Hastings, J.

We concur: Epstein, Acting P.J.
Curry, J.

DIVISION SIX

B171071 Fermin Z. (Not for Publication)

V.

The Superior Court of Santa Barbara Co.
Santa Barbara County Child Welfare Services

The petition for extraordinary relief is denied.

Perren, J.

We concur: Gilbert, P.J.
Yegan, J.

DIVISION SEVEN

B166211 Lark (Not for Publication)

V.

Medical Board of the State of California

The appeal is dismissed. Each party is to bear his or its own costs on appeal.

Perluss, P.J.

We concur: Johnson, J.
 Woods, J.

B168611 Los Angeles County, D.C.S.

V.

Monica M., and Raul M.

B172117 Los Angeles County, D.C.S.

V.

Monica M., and Raul M.

Filed order consolidating above captioned appeals.

January 28, 2003 (Continued)

DIVISION EIGHT

Court convened at 9:02 a.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Flier, J. and Connie Hon, Deputy Clerk.

Each of the following:

B158765 People v. Jones
B160438 People v. Burns
B165431 People v. Carter
B163162 People v. Figueroa and Rivera
B163282 People v. Fucci
B164960 People v. Jozwiak
B165202 People v. Stahley
B165447 People v. Hernandez
B167921 People v. Ornelas
B171192 Boudreau F. v. SCLA (DCFS)
B161379 Poolsawat v. East Los Angeles College et al.
B162745 People v. Martinez

Argument waived, cause submitted.

B155890 Lehman
B161787 v.
 Byrne, et al.

Matter continued to February 25, 2004, at 9:00 a.m.

Each of the following:

B158367 People v. Shagun, Jr.
B163961 People v. Tanielian

Matter ordered off calendar.

DIVISION EIGHT (Continued)

B165931 Arias, et al.
 v.
 City Of Manhattan Beach

Merits:
Argued by Robert V. Wadden for appellants and by Joseph Dzida for respondents. Cause submitted.

B162571 People
 v.
 Melchor

Merits:
Argued by Gregory R. Ellis for appellant and by Stephanie Miyoshi, Deputy Attorney General for respondent. Cause submitted.

B157182 People
 v.
 Jerro

Merits:
Argued by John Lanahan for appellant and by Alan D. Tate, Deputy Attorney General for respondent. Cause submitted.

B160819 Williams
 v.
 Russ, et al.

Merits:
Argued by Stuart B. Esner for appellant and by Charles E. Slyngstad for respondents. Cause submitted.

DIVISION EIGHT (Continued)

B161845 McNeill
 v.
 State Farm Life Insurance

Merits:
Argued by Stephen A. Lax for appellant and by Loren H. Kraus for
respondents. Cause submitted.

B163710 Los Angeles County Professional Peace Officers Association
 v.
 County Of Los Angeles;
 Los Angeles County Employees Retirement Association

Merits:
Argued by Stephen H. Silver for appellants and by Gregory G. Kennedy for
respondent (County of L.A.). Michael D. Herrera appears for respondent
(L.A. County Employees Retirement Association) and waives argument.
Cause submitted.

B168200 Benningson
 v.
 Alsdorf

Merits:
Argued by Eric R. Schoenberg for appellant and by Richard H. Chapman
for respondent. Cause submitted.

B161367 People
 v.
 Ramirez

Merits:
Argued by Diana Teran for appellant and by William H. Davis, Jr., Deputy
Attorney General for respondent. Cause submitted.

Justice Rubin leaves the bench.

DIVISION EIGHT (Continued)

B162368 People
 v.
 Perez

Merits:
Argued by Laura G. Schaefer for appellant and by John Yang, Deputy
Attorney General for respondent. Cause submitted.

B169199 Kline Hawkes California SBIC L.P., et al.
 v.
 Superior Court, Los Angeles County
 (Idealab, Inc. et al., r.p.i.)

Merits:
Argued by Gary L. Ewell for petitioners and by David Siegel for real
parties in interest. Cause submitted.

Court adjourned at 12:56 p.m.

B162513 American Airlines, Inc., et al.
 v.
 S.C.L.A.
 Richard Di Marco

Filed order denying petition for rehearing.